

CALL TO ORDER

Mayor Porter called the regular meeting to order at 7:00 PM on May 4, 2009.

INVOCATION

Curtis offered the Invocation.

PLEDGE OF ALLEGIANCE

The Mayor led the Pledge of Allegiance.

ROLL CALL

The following answered roll call; John Curtis, Darrell Levings, Emily Shaffer, Keith Strait, and Betty Williams. Steve Hart was excused. The Clerk declared a quorum.

MINUTES

Shaffer moved and Williams seconded to approve the minutes as presented. Roll call; Shaffer yes, Williams yes, Levings yes, Strait yes, Curtis abstained.

JOINT MEETING WITH GILEAD TOWNSHIP TRUSTEES

Williams moved and Shaffer seconded, to recess the regular meeting. Roll call; Williams yes, Shaffer yes, Levings yes, Strait yes, Curtis yes.

Levings moved and Strait seconded to call the Joint Meeting to order. Roll call: Levings yes, Strait yes, Williams yes, Shaffer yes, Arnold yes, Columber yes, Curtis yes. Attendance roll call; John Curtis, Darrell Levings, Emily Shaffer, Keith Strait, Betty Williams, Clyde Columber, Harry Arnold. Steve Hart and Dave Lewis were excused.

Williams moved and Strait seconded to suspend the rules for Resolution 5-4-09. Roll call; Williams yes, Strait yes, Arnold yes, Columber yes, Curtis yes, Shaffer yes, Levings yes. Strait moved and Williams seconded to adopt the Rivercliff Cemetery Resolution 5-4-09. Roll call; Williams yes, Shaffer yes, Levings yes, Strait yes, Curtis yes, Arnold yes, Columber yes.

Williams moved and Strait seconded to reappoint Dave Lewis to the Cemetery Board for the 3 three-year term beginning 1-1-10 through 12/31/12. Roll call; Williams yes, Strait yes, Shaffer yes, Curtis yes, Levings yes, Arnold yes, Columber yes. Rivercliff Board member, Williams reported the current Sexton is a very conscientious employee keeping a well-maintained cemetery. A walk-through inspection of the cemetery is scheduled prior to the Memorial Day weekend.

Hearing no other concerns, Shaffer moved and Strait seconded to adjourn the Joint Meeting. Roll call; Shaffer yes, Strait yes, Curtis yes, Williams yes, Levings yes, Arnold yes, Columber yes.

Williams moved and Shaffer seconded to reconvene the regular Council meeting. Roll call; Williams yes, Shaffer yes, Strait yes, Levings yes, Curtis yes.

GUESTS

Guests included Officer Mark Meftah and Chief Don Staiger.

POLICE CHIEF-BRIAN ZERMAN

Chief Zerman was excused but had prepared the written monthly report; 228 calls for service, 8 felonies, 64 charges and 6 accidents.

FIRE CHIEF-DON STAIGER

Chief Staiger reported 135 responses, including an increasing number of roll-over accidents. Staiger requested that the next newsletter remind residents of the importance of visible house numbers and a warning to walkers who walk in the streets, especially in the Grant St/Lee St subdivision. Officer Meftah noted the area has always been a favorite for walkers. Without sidewalks, the streets become congested.

Staiger reported that the WODA development, including Chartwell St, Lockwood Ct. and parts of Grant St. and Lee St. have fire restrictions that prohibit any open burning. After the second offense, the resident will be evicted.

The FEMA Grant application is due 5/20/09.

Chiefs' conference is scheduled for July.

COMMITTEES & RECOMMENDATIONS

STREETS-DARRELL LEVINGS

Levings proposed the purchase of the real estate located at 125 Iberia St. The property, reportedly valued at \$80,000.00, has been offered to the Village at a price of \$35,000.00; the property owner is aware that the house is beyond repair but the property, adjacent on the west side to the Fire Station could benefit the Village in the future. Strait moved and Curtis seconded to authorize the Administrator to offer the owner \$30,000.00 for the property. Chief Staiger agreed the house could be used for fire training but there would be additional expense in removing the steel roof and debris and filling in the hole that would be left. Council discussed the future plans for the property, the Village-owned vacant property on the opposite corner and additional costs associated with the purchase; whether the Village could afford the purchase versus whether the Village could afford to refuse the opportunity. Rogers reported that a Supplemental Appropriation Ordinance would be required and the Clerk-Treasurer requested time to review the budget. Solicitor Griffith suggested the purchase could be discussed in Executive Session. Rogers noted the benefits to the Village may not be evident for 10-15 years or as much as 50 years but would make the entire block Village-owned except for the lot located at 114 Iberia Street. Roll call; Strait yes, Curtis yes, Levings, Shaffer yes, Williams yes. The next meeting is scheduled for 5:30 pm on 5/13/09.

FIRE & POLICE-KEITH STRAIT

Strait commended Shaffer and the Codes & Regulations Committee for their dedication to research the parking regulations.

A meeting with the Police is scheduled for 5:30 pm on 5/12/09.

FINANCE & PERSONNEL-STEVE HART

Hart was excused. The committee is scheduled to meet at 6:00 pm on 5/18/09.

UTILITIES-BETTY WILLIAMS

Williams reported the committee met 4/20/09 following the regular Council meeting and discussed the Dogwood Valley sewer line in to the Village's sanitary sewer system. The line, originally designed to be a 4-inch tap at \$20,300.00 tap-fee will be a 2-inch tap at \$4,250.00 tap fee. The committee reviewed the letter to Lyn Makeever & Associates Engineers explaining the Village's stipulations for the project. Williams suggested a written signed agreement between the Village and the Dogwood Valley owners detailing both parties' responsibilities. Rogers stated the current ordinance and letter is sufficient and a contract is not necessary, the line would be owned by Dogwood Valley. This is the second project connecting to the Village's sanitary sewer system from several miles outside the Village. Williams noted she was not a member of Council in 2003 when a similar project was completed with Gilead Friend's Church/School but noted an agreement is a means of protecting the Village' interests. Solicitor Griffith offered to review the current letter and the proposed connection.

The 4/29/09 meeting with RCap has been rescheduled for 5/5/09.

Poggemeyer Design Group is preparing an estimate to repair/replace deteriorating storm sewers.

VILLAGE DEVELOPMENT & ZONING-JOHN CURTIS

Curtis reported he will confirm the tentative 6/1/09 6:00 pm meeting.

CODES & REGULATIONS-EMILY SHAFFER

The committee met on 4/28/09 and discussed sign regulations. Compliance for the Red Flag Policy has been extended until August 1st. The committee will continue to research the parking regulations and will begin to prepare a NIMS (National Incident Management System) Policy to verify that the Village is in compliance.

The next meeting is scheduled for 6/2/09 at 2:00 pm.

ADMINISTRATOR-DAN ROGERS

Rogers reported sludge-drying beds were cleaned at the WWTP along with normal maintenance. The system continues to perform very well during storms.

Two main line valves have had to be replaced because of faulty bolts and more are expected.

The grinder pump testing will complete the Issue I, Phase II Whetstone Creek project.

The property owner of a W. High St property is repairing a plugged sewer lateral following a major back-up problem.

Cold patching of the streets continues as needed.

ODOT will review the plans for the TEP (Transportation Enhancement Project) of the Monument.

Discount Drug Mart is working toward the transfer of title from the former Pamida Store. Rogers stated he is working with the company on the signs and liquor license.

Department of Commerce has approved the grounding system at the pool; concrete can be poured. Main circulating pump is frozen again. Repairs should be completed next week at an expected \$1,500.00-\$2,000.00. Valve problems have been resolved. The pool will be drained, cleaned, repaired and filled within the next two weeks.

Rogers presented a proposal from Yoder Construction to remodel the original green building at the Water Plant. The project would include remove and replace the siding, replace the doors and trim, replace the sliding doors and replace the sliding door, new hardware, new gutters, down spouts and clean up of debris at a cost of \$9,536.00. \$25,000.00 was budgeted this year for just the removal and replacement of the siding. Williams moved and Curtis seconded to award the renovations to Yoder Construction at a cost of \$9,536.00. Roll call; Williams yes, Curtis yes, Levings yes, Strait yes, Shaffer yes.

MAYOR- MIKE PORTER

The Mayor reported the Arbor Day activities; six trees were purchased, Chester Gleaners purchased one tree. The program included most of the elementary classes at the school. After a brief discussion of the summer schedule for Council, Shaffer moved and Curtis seconded to meet on the first Monday of July and August, as usual, which would be 7/1/09 and 8/3/09 and to recess the third Monday of July and August which will be 7/20/09 and 8/17/09. Roll call; Shaffer yes, Curtis yes, Williams yes, Levings yes, Strait yes.

SOLICITORS-GRIFFITH & BRININGER

Solicitor Griffith requested that Council go into Executive Session to discuss pending litigation against the Village.

CLERK-TREASURER-SUE MERMANN

Strait moved and Williams seconded to approve the bills. Roll call; Strait yes, Williams yes, Shaffer yes, Levings yes, Curtis yes.

Ordinance 1618 was presented. Williams moved and Strait seconded to suspend the rules. Roll call; Williams yes, Strait yes, Curtis yes, Levings yes, Shaffer yes. Shaffer moved and Curtis seconded to adopt the Supplemental Appropriation ordinance. Roll call; Shaffer yes, Curtis yes, Strait yes, Williams yes, Levings yes.

Resolution 4-6-09 C was presented for the third reading. Williams moved and Shaffer seconded to adopt the transfer of real estate resolution. Roll call; Williams yes, Shaffer yes, Curtis yes, Strait yes, Levings yes.

Resolution 5-4-09A was presented. Williams moved and Strait seconded to suspend the rules. Roll call; Williams yes, Strait yes, Curtis yes, Levings yes, Shaffer yes. Shaffer moved and Strait seconded to adopt the transfer of funds resolution. Roll call; Shaffer yes, Curtis yes, Strait yes, Williams yes, Levings yes.

Williams moved and Curtis seconded to approve the Appropriation Transfer. Roll call; Williams yes, Curtis yes, Strait yes, Levings yes, Shaffer yes.

Mermann reported on the recent Annual Local Government Officials Conference and encouraged Council and the Mayor to attend the informative program next April. The 2-day seminar is required for all Clerk-Treasurer and Fiscal Officers but would benefit all officials.

OTHER

Williams moved and Curtis seconded to go in to Executive Session to discuss pending litigation against the Village. Roll call; Williams yes, Curtis yes, Shaffer yes, Strait yes, Levings yes.

Curtis moved and Shaffer seconded to adjourn Executive Session. Roll call; Curtis yes, Shaffer yes, Williams yes, Levings yes, Strait yes. Executive Session included: Mayor Porter, Solicitor Griffith, Clerk-Treasurer Mermann, Council members: Curtis, Levings, Shaffer, Strait and Williams and Administrator Rogers. Strait moved and Curtis seconded to return to regular meeting. Roll call; Curtis yes, Shaffer yes, Williams yes, Levings yes, Strait yes. Curtis stated that Council discussed pending litigation against the Village in Executive Session.

Curtis moved and Strait seconded to adjourn at 8:20 pm.

Sue Mermann, Clerk-Treasurer

Mike Porter, Mayor

Dan Rogers, Administrator